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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,449	11/01/1999	ANTHONY P. GALLUSCIO	6572-14	8736

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ROBERT J SACCO
QUARLES BRADY LLP
222 LAKEVIEW AVENUE SUITE 400
P O BOX 3188
WEST PALM BEACH, FL 334023188

EXAMINER

HOANG, PHUONG N

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 09/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/431,449

Applicant(s)

GALLUSCIO ET AL.

Examiner

Phuong N. Hoang

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erez Haba, U.S. patent no. 6,275,912, and in view of John B. Carter, U.S. patent no. 6,148,377.

As to claim 13, Haba teaches a set of instructions stored in a fixed medium (col. 4, lines 55 – 67), attaching a first process (sender), and a second process (receiver) in a message buffer (data collector 240, col. 6, lines 17 – 67) of, RAM (212), operating system (35), accumulating message data (col. 5, lines 55 – 67), a message list (message queue, col. 6, lines 28 – 30), memory offset (col. 1 – 15), processing in said second process said accumulated data (col. 8, lines 1 – 15).

However, Haba does not teach a shared region of RAM exclusive of the operating system kernel.

Carter teaches a shared region of RAM exclusive of the operating system kernel (fig. 1 and 2).

It would have been obvious to apply the teaching of Cater to Haba's system for easy access and control the system environment.

As to claim 14, Haba teaches detecting a previously created shared region of RAM (col. 8, lines 15 – 30), creating and configuring a shared region in RAM for storing accumulated data (col. 8, lines 15 – 30).

As to claim 15, Haba teaches message list is a message queue (col. 6, lines 28 – 30).

As to claim 16, Haba teaches retrieving a memory offset in said message buffer (col. 6, lines 55 – 67), inserting said memory offset in said message queue corresponding to said second process (col. 6, lines 55 – 67 to col. 7, lines 1 – 16).

As to claim 17, Haba teaches assigning said memory offset to an integer location (col. 7, lines 1 – 16).

As to claim 18, Haba teaches identifying, using a message data at a location in said buffer corresponding to said memory offset (col. 6, lines 55 – 67 to col. 7, lines 1 – 16), releasing said message buffer (col. 8, lines 20 – 24).

As to claim 1, this is the method claim of claim 13, see claim 13 above for rejection. Further, Haba teaches message data is transferred from first process to said second process with minimal data transfer overhead (since it just uses manipulate the message in the buffer using the memory offset instead of transferring the whole message).

As to claim 2, see claim 14 above. Further, Haba teaches attaching the first process and second process in a shared region (col. 6, lines 17 – 67).

As to claim 3 - 6, see claim 15 –18 respectively.

As to claim 7, see claim 1 above. Further Haba teaches disposing a message buffer in a shared region of RAM (col. 6, lines 48 – 67).

As to claim 8, Haba teaches creating and configuring a message buffer (col. 8, lines 15 – 23), creating a message list (col. 7, lines 16 – 19) message list can store memory offsets of message data (col. 7, lines 1 – 15).

As to claim 9 – 12, see claims 3 – 6 respectively.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703) 605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alvin Oberley can be reached on (703)305-9716. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7140.

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Art Unit: 2151

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ph
September 5, 2002



ALVIN OBERLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100